

REMARKS

Claims 27-32 and 48-53 were considered. Claim 27 is amended. Claims 27-32 and 48-53 remain in the Application.

The Patent Office rejects claims 27-32 and 48-53 under 35 U.S.C. §112, first paragraph. According to the Patent Office, the specification does not support "separately" delivering a treatment agent and a barrier having a binding member.

With respect to the other claims, Applicant believes the Application fully supports separately delivering treatment agent and a barrier having a binding member and, in previous responses, has directed the attention of the Patent Office to a number of locations in the specification that provide such support. Nevertheless, to advance the prosecution of the claims to allowance, Applicant amends claim 27 to remove the word "separately" and provide that a treatment agent and a barrier are present at or near a tissue during at least partially overlapping times. The claim as amended contemplates, among other methods of delivery, delivery of a treatment agent and a barrier in a time-varied manner as described in the Application at, for example, page 23, lines 16-25.

Applicant respectfully requests that the Patent Office withdraw the rejection of claims 27-32 and 48-53 under 35 U.S.C. §112, first paragraph.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

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